ICR SUPPORTING STATEMENT

1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) Title of Information Collection

State Small Business Stationary Source Technical and Environmental Compliance Assistance Program (SBTCP) Annual Reporting Form.

1(b) Short Characterization (Abstract)

- Type of collection

  This will be an annual collection of program information on the activities and accomplishments of the SBTCPs' three program components (i.e., small business ombudsman, small business assistance program, and compliance advisory panel).

- Who is collecting?

  This information will be collected annually from the states and territories by the EPA Office of the Small Business Ombudsman (SBO).

- What is being collected?

  Information will be collected on the following: Program Contacts, Budget, Staffing, and Outreach and Technical Assistance.

- Why?

  The information will be collected, evaluated, summarized, and reported to the Congress as required under Section 507 of the Clean Air Act (CAA) as amended in 1990.

- Who will use the information?

  This information will be used by the EPA SBO to evaluate the progress of state implementation of Section 507; by Congress in consideration of incorporating similar small business assistance programs into other environmental legislative actions as they come up for amendments or reauthorization; by states, both externally and internally to highlight their programs; by national small business trade associations as the original promoters of this concept to not only see how well state programs are functioning, but also as an advocate before the Congress for other such programs in environmental legislation; and by other Federal agencies, primarily the Small Business Administration, in evaluating the effectiveness of this type of assistance effort.

- How will the information be collected and stored?

  Information will be collected via the Internet using an online reporting form. Users will be able to access their secure form using a log in and password. The information will be stored on a server at the offices of a contractor for evaluation, review, summarization, and compilation for preparation for the Report to Congress.

- What will this cost?

  The information collection involves 53 respondents [50 states, two territories (Puerto Rico and the Virgin Islands), and the District of Columbia]. The total respondent cost is estimated to be $80,878.00. At the Federal level, the cost of summarizing responses and preparing the Report to Congress is estimated to be $23,967.06 plus $85,000.00 to purchase services. See Section 6 for more details.

2. NEED AND USE OF THE COLLECTION

2(a) Need/Authority for the Collection

This collection of information is pursuant to Section 507, Small Business Stationary Source Technical and Environmental Compliance Assistance Program (SBTCP) (a), (d), and (e) of the Clean Air Act as amended in 1990, Public Law 101-549, November 15, 1990. This Act directs EPA to monitor the SBTCPs and to provide a report to Congress. This responsibility has been delegated to EPA's SBO. A copy of the relevant section may be found in Attachment A.

2(b) Practical Utility/Users of the Data

The EPA SBO will report the results of the collection to Congress, including an objective summary of conclusions and recommendations relative to funding or other environmental legislative consideration. This information also will be provided to Congressional staffs and committees interested in environmental matters and small business assistance activities at the state and local levels. In addition, this information will be provided to small business trade associations for their further use in promoting the utility and viability of assistance programs, to EPA Headquarters and Regional Offices, to other Federal agencies such as the Small Business Administration, to all state small business ombudsmen and small business assistance program directors, and to state Governors and other interested state environmental officials.

Both state and Federal officials have used the information not only to evaluate how well the programs are functioning, but also in planning how to render more effective, less costly, and more timely assistance. The constantly evolving nature of these programs means that information of this type should be made available to decision-makers, whether they are at the Federal, state, or local levels.

During the first six years of the collection, the Agency has shared the information with the parties listed above. The SBTCPs have found this information valuable in learning of other program's strengths and innovations. This information promotes additional sharing of ideas and maximizes resources across programs. The EPA SBO also has served as a resource on specific programs by providing relevant data and narratives to policy makers at the Federal and state levels upon request. The SBO relies on this information as a vital tool in program development and in making recommendations to other offices within the Agency.

While extensive data and analysis have been provided during these six years of reporting, its practical utility may have been limited by its shear volume and high level of detail. To improve the usefulness of the data, the information requested from the SBTCPs and the format of the Report to Congress will be streamlined.

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) Nonduplication

Information is being requested from and about programs mandated under Section 507 of the CAA of 1990, therefore, this information is unique to this collection. Typically, the information is not available from other sources.

During extensive review by the SBTCPs, they expressed that reporting of this nature in no way duplicates internal state reporting requirements. Further, neither the EPA Regional Offices nor Headquarters requires or has ever requested information of this nature.

3(b) Public Notice Required Prior to ICR Submission to OMB

Public notice on the renewal of this ICR was published in the Federal Register on March 27, 2001.

This notice indicates that the ICR is up for renewal and that public comments on the previous burden estimates and any proposed changes are being sought by the EPA SBO.

The Federal Register notice on the 60-day public comment period for this ICR may be found in Attachment B.

3© Consultations

As previously stated, this information collection mechanism has had complete involvement of many responsible state offices. Further, on an annual basis at the National Small Business Ombudsman and Technical Assistance Conference, both the prior year and the upcoming year Report are discussed regarding possible improvements in the process and the Report.

In preparing this ICR and in revising the Reporting Form, the EPA SBO convened sixteen representatives from the SBTCPs. This committee met on April 4, 2001 at the National SBO/SBAP Conference in Austin, TX to review the current reporting form and propose changes. Committee members are:

- Elsa Bishop, SBO/SBAP, Florida Dept. of Environmental Protection, Office of Program Communication and Outreach, 2600 Blair Stone Rd., MS-5500, Tallahassee, FL 32399-2400
  850-414-8399

- Dan Clark, SBO, Wyoming Dept. of Environmental Quality, Herschler Bldg., 4-W, 122 W 25th St., Cheyenne, WY 82002
  307-777-7388

- Richard Rasmussen, SBAP, VA Dept. of Environmental Quality, 629 E. Main St., P.O. Box 10009, Richmond, Va. 23240
  804-698-4394

- Dick Lehr, SBAP, Louisiana Dept. of Environmental Quality, P.O. Box 82135, Baton Rouge, LA 70884-2135
  225-765-2453

- Mark Shanahan, SBO, Clean Air Resource Center, 50 West Broad St., Room 1901, Columbus, OH 43215-5985
  614-728-3540

- Renee Bashell, SBAP, Wisconsin Dept. of Commerce, P.O. Box 7970, 6th Floor, 201 West Washington, Ave., Madison, WI 53703-7970
  608-264-6153

- Rosalyn Jackson, SBAP, Illinois Dept. of Commerce and Community Affairs, 620 East Adams, 4th Floor, Springfield, IL 62701
  217-524-0169

- Chuck McCarty, SBO, New Jersey Commerce and Economic Growth Commission, P.O. Box 820, Trenton, NJ 08625-0820
  609-984-6922

- Rudy Cartier, SBO/SBAP, New Hampshire Dept. of Environmental Services, 6 Hazen Drive, Concord, NH 03301-2033
  603-271-1379

- Anita Dorsey-Word, SBAP, Georgia DNR/EPD/APB, 4244 International Parkway, Suite 120, Atlanta, GA 30354
  404-362-4842

- Rose Marie Wilmoth, SBO, Kentucky Dept. of Environmental Protection, 14 Reilly Road, Frankfort, KY 40601
  502-564-2150, x128

- Daphne McMurrer, SBAP, Texas (TNRCC), P.O. Box 13087, Austin, TX 78711-3087

800-447-2827

- Anne Marie Callery, SBAP, Texas (TNRCC), P.O. Box 13087, Austin, TX 78711-3087
  800-447-2827

- Phyllis Copeland, SBO, South Carolina Dept. of Health and Environmental Control, 2600 Bull Street, Columbia, SC 29201-1708
  803-896-8982

- Byron Shaw, SBAP, Missouri Dept. of Natural Resources, 1659 E. Elm Street, P.O. Box 176, Jefferson City, MO 65102
  573-526-6627

Also consulted from the EPA SBO office were:

- Karen V. Brown
- Eileen McGovern
- Daniel Eddinger
- Angela Suber

Comments from all parties were very constructive. Key suggestions included:

- Reporting form is too long and burdensome.

- Resulting Report to Congress is quite comprehensive, but may include more detail than necessary to report at the Federal level.

- Identify and report on core program elements that succinctly portray the overall status and health of the SBTCPs.

- The counting method for the number of businesses helped or assistances provided must be standardized. Programs currently use various approaches for recording data.

Following this meeting, the Reporting Form was revised based on Committee directives. The revised form was sent committee members via e-mail. Their subsequent comments and suggestions were compiled and distributed by e-mail

Comments and suggestions on the revised form include:

- Use the word “activities” (or some other descriptive word) instead of “businesses” when referring to assistance data. A small business could receive assistance in several ways -- mailings, telephone calls, seminars, or permit help. By using the word "activities," duplication and misrepresentation are avoided.

- Count all types of assistance by each occurrence, not by business. A program could do a site visit, make several phone calls, meet with a business, etc. that could have resulted from a newspaper article or workshop. This could mean many assists and hours of work while technically helping only one business.

- Some comments that have come in attempt to further complicate the Reporting Form much more than was discussed at the Austin meeting. We cannot lose sight of the simplification we agreed to at that meeting.

- States could differentiate between total contacts for outreach activities (e.g., seminars, publications, web site hits) and total businesses assisted for technical assistance (e.g., onsite visits, permit application meetings).

- I like the idea of simplified reporting. As a newcomer to the program, I struggled with definitions for last year's report (i.e., how to count various activities).

On May 9, 2001, the committee met via conference call. Having reviewed the previously e-mailed comments and the proposed Reporting Form, further suggestions were made:

- Revise outreach and technical assistance chart to focus on number of assistances instead of number of businesses contacted.

- Request specific data for each assistance type (e.g., seminars/workshops = number of events, number of attendees; publications/mailings = number of publications, number distributed).

- Budget reporting (program total versus breakdown by SBO/SBAP/CAP) should be by calendar year. If the program runs on a fiscal year, the budget for the fiscal year as of December 31 of the current reporting year should be used.

- Detailed information on direct and indirect assistances, business sector served, etc. may be useful at the state level, but not necessary for federal reporting.

- The committee reached a consensus to focus on simplification of the reporting process and the resulting Report to Congress.

- Proposed information to be reported won't provide as many useful metrics and measurable outcomes as does the current form. Defining goals and measuring outcomes is mainly a state issue and not necessarily relevant at the federal level.

The committee also addressed the issue of annual reporting burden and came to the following consensus: the average monthly recordkeeping burden (per program) would be three hours per month, or 36 hours annually, plus four hours for annual reporting. Total reporting burden would be 40 hours per state. This work is expected to be performed by experienced professional/technical staff.

Following the conference call, the Reporting Form was again revised and e-mailed to the committee for final approval, which it received.

The EPA SBO did not receive any comments during the 60-day comment period following the publication of the first Federal Register notice.

3(d) Effects of Less Frequent Collection

The submission of this information on less or more than an annual basis will not meet the useful intent under the CAA. Annual reporting assures uniformity and consistency. All the states use their annual submissions to the EPA SBO for a report to higher management within the state.

3(e) General Guidelines

OMB's general guidelines for information collections have been followed in gathering information from the states. The EPA SBO requests information readily available during the conduct of the state's program. The state records are those normally retained for good records management and reporting.

- Respondents are requested to report annually.

- Respondents typically have 60-90 days to prepare a written response to the collection of information request.

- Respondents are asked to complete and submit their Reporting Form online.

- Respondents are not required to retain their records for more than 3 years. The EPA SBO has not imposed any recordkeeping requirements, although the individual states may have their own recordkeeping policies.

- Respondents are not required to participate in a statistical survey that is not designed to produce data that can be generalized to the universe of the study.

- Respondents do not have to use any statistical data classification.

- Respondents do not receive a pledge of confidentiality in regard to the information collection. All information is considered public.

- Respondents are not asked to submit any proprietary, trade secret, or other confidential information.

3(f) Confidentiality

Information in the Annual Report is aggregated and is not of a confidential nature. None of the information collected by this action results in or requests sensitive information of any nature from the states.

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a) Respondents/SIC Codes

Respondents will be *one* of the following state offices: environmental agency (SIC 9511), commerce or economic development department (SIC 9611), governor's office (SIC 9111), or ombudsman's office (SIC 9511). These departments/agencies typically are responsible for the conduct of the SBTCPs.

4(b) Information Requested

(Copy of Reporting Form may be found in Attachment C.)

(I) Data Items

States will report on the data items shown in the following table. Each item is designated as a recordkeeping item or a reporting item; activities that are customary and usual business practices (CBP) also are indicated, as required in the following section. The EPA SBO imposes no recordkeeping requirements on any respondent. Each state may have its own requirement for retention of records.

DATA ITEM	RECORDKEEPING	REPORTING	CBP
Program Information			
Name of State, Territory, or Local Agency		X	X
Reporting Form Contact		X	X

Budget			
Combined SBO/SBAP/CAP Budget		X	X
Staffing		X	X
SBO/SBAP FTEs		X	X
Status of CAP		X	X
Outreach and Technical Assistance			
Air-only or Multimedia Assistance		X	X
Data on Offered Services/Activities	X		X
Significant Accomplishments, Awards, Program Highlights		X	X

Since the last clearance, changes to data items largely reflect a major streamlining of information requested in all parts of the Form.

- Data items previously requested in Section 3 (Services Provided/Activities Conducted), Section 4 (Program Effectiveness), and Section 5 (Compliance Assistance) have been eliminated.

- At the request of the states, information on outreach and technical assistance has been consolidated into three questions: air or multimedia program focus; data on services and activities conducted (hotline/e-mail, onsite visits, seminars/workshops, publications/mailings, home page, video and teleconferences, and permit applications); and an open-ended question requesting a summary of program highlights and accomplishments.

The respondents expect that the net changes of data items to be collected would reduce their reporting burden by half.

(ii) Respondent Activities (see partial explanatory model below)

The respondents will engage in the following activities to assemble, submit, and store the data items listed in the previous section. These activities reflect the items of burden mandated by the 1995 Paperwork Reduction Act.

Review Instructions -- Instructions are straight forward, and the Form will remain the same from year to year.

Acquire, Install, and Utilize Technology and Systems -- Information requested in this ICR is typical of information gathered as part of good business practices. No special technology or systems would be required for this collection. E-mail and Internet access (the latter needed to complete the Form) have become standard tools.

Adjust the Existing Ways to Comply with Any Previously Applicable Instructions and Requirements -- As stated above, the Reporting Form will remain the same from year to year. Modifications to the Form from previous requirements have been greatly reduced and simplify reporting requirements.

Search Data Sources -- Gathering and updating information is now an annual task, since states have been reporting on the activities of their programs since 1995. Data items requested in the Form are already collected as customary business practices.

Complete and Review the Collection of Information -- Programs will provide data and one narrative to complete their submissions. All information should be readily available. States must select their best examples that will typify their operations and accomplishments for their programs. Recording and reviewing the required information should be straightforward and procedural. Completion and review of the Reporting Form is anticipated to be a cooperative effort among the key program staff.

Transmit or Otherwise Disclose the Information -- The Reporting Form will be available through an Internet web site. Each respondent will be provided with a secure log in and password unique to their program. This approach will enable the SBO (or her contractor) to efficiently compile the information from the individual programs and prepare the Annual Report to Congress.

Store, File, and Maintain -- The EPA SBO does not mandate any requirement on file storage and retention. Each state may set its own requirements on the length of time and the manner in which they store and retain their files.

MODEL SBTCP REPORTING FORM	
INFORMATION REQUESTED	**SAMPLE RESPONSE**
Program Information	
Name of State	Idaho
Reporting Form Contact	Sue Smith, 123 Main Street, Anytown, ID 12345 123-456-7890 phone/fax sue_smith@blahblah.net
Budget	
SBO/SBAP/CAP Budget	$450,000
Staffing	
SBO/SBAP Total FTEs	4.00
Status of CAP	Complete with seven members -- holding four meetings per year.
Outreach and Technical Assistance	
Air-only or Multimedia Assistance	Multimedia
Service/activity Data	Hotline calls/e-mail = 325 Onsite visits = 41 Seminars/workshops = 4 events, 83 participants Publications/mailings = 8 documents, 150,000 copies dist. Home page = 1,700 hits Video & teleconferences = 0 Permit applications = 22 Total assists = 152,171
Significant Program Accomplishments	Program is fully multimedia. SBO received award from XYZ Trade Association for outstanding assistance to its members and industry. Number of site visits increased by 100% with the addition of one full time engineer.

5. THE INFORMATION COLLECTED -- AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

5(a) Agency Activities

The online Reporting Form will be available to states and territories near the end of each calendar year. Respondents will have at least 60 days to respond to the request for information. The EPA's contractor will answer questions from the respondents regarding the Reporting Form.

The EPA's contractor will collect, assemble, analyze, and store the information provided by the SBTCPs. The contractor will use this information to prepare the Report to Congress for review and approval by the EPA SBO.

The EPA SBO will publish an Annual Report to Congress, which will contain summary information, a perspective on the materials provided, selected highlights, conclusions, and recommendations. All state submittals will be included in the appendices.

The EPA SBO and the contractor will maintain copies of state submittals and the Annual Report on disk and in hard copy.

5(b) Collection Methodology and Management

Prior to the submission of this ICR, potential revisions to the Reporting Form received extensive review by representatives from the SBTCPs. The Reporting Form was revised following the guidance provided by a convened committee of state representatives at the 2001 National Small Business Ombudsman/Small Business Assistance Program Conference and via conference call.

Pretesting of the original collection instrument was accomplished by consolidating all comments received following the states' review of a draft of the Reporting Form and an extensive discussion of the Form at the 1995 National Small Business Ombudsman and Small Business Assistance Program Conference.

This process was repeated in 1998 when the Reporting Form was revised for the 1998 ICR renewal.

For each reporting year, each SBTCP will be provided with a secure log in and password to access the online Reporting Form along with instructions for gathering data and completing the report. Annual updating will be significantly streamlined in light of the automated nature of compiling information and data.

Data quality will be checked upon receipt of each state's Reporting Form, during analysis, and in final review of the report. Information and data will be processed using an IBM compatible computer and appropriate software. Data will be entered manually or downloaded.

Data is publicly accessible through the Annual Report to Congress, which is published in hard copy and is available on the EPA SBO's home page.

5(c) Small Entity Flexibility

The completion of the Reporting Form does not require any input or action by any small entity.

5(d) Collection Schedule

This is an annual (calendar year) collection of information on the states' activities, accomplishments, and data outputs under Section 507 of the CAA. A typical reporting schedule would look as follows:

- Online Reporting Form available to states: November
- States complete Reporting Form: December-February
- State agency submits reporting form to EPA SBO: February
- EPA SBO develops draft Report to Congress: May
- Draft reviewed by states and others: July
- EPA SBO obtains final EPA approvals: July
- EPA SBO submits Report to Congress: August

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

6(a) Estimating Respondent Burden

Burden hour estimates are based on the results of a pretest of the original survey information and report preparation cycle; the estimates were refined based on a pretest of the revised survey information that was prepared for this ICR renewal.

The revised Reporting Form was discussed in detail with state ombudsmen or small business assistance program directors from fifteen of the 53 Section 507 reporting state programs (i.e., comprising the 50 states, the District of Columbia, the Virgin Islands, and Puerto Rico). They formulated a general consensus of how long it would take to complete the reporting form and who would likely be responsible from each state to complete the task.

The information requested was confirmed to be normal program activity information the SBTCPs collect on an ongoing basis. Where a few state environmental agencies have delegated or contracted management of their technical assistance program, this information is part of the project management responsibilities. This requested reporting information typically would be compiled by experienced professional or technical staff.

On average, the requested information can be compiled readily and maintained by the state within 40 hours (assuming the state organization continuously maintains their records in a reasonably efficient manner) using experienced professional or technical staff. The 40-hour forecast includes 36 hours for recordkeeping and 4 hours for reporting the required information.

Respondent information will be compiled electronically and summarized and analyzed by an outside contractor using a mix of management, technical, and clerical staff. EPA will provide oversight to all contractor activities. An estimated 216 EPA hours will be required to complete the Report to Congress. Contractor costs are estimated to be $85,000.00.

6(b) Estimating the Respondent Burden

Labor rates were derived from the Bureau of Labor Statistics, Employment Cost Trends, Table 4: State and Local Government by Occupational and Industry Group (http://www.bls.gov/news.release/ecec.t04.htm).

Please refer to Worksheet 1.

6© Estimating Agency Burden and Cost

Based on the US Office of Personnel Management 2001 General Schedule Locality Pay Tables, January 2001 (http://www.opm.gov/oca/01tables/GShrly/html/washingt.htm), EPA estimates an average hourly regional labor cost of $54.73 for GS-15, Step 10 staff; $46.53 for GS-14, Step 10 staff; and $20.49 for GS-9, Step 6 staff. EPA then multiplied hourly rates by the standard government benefits multiplication factor of 1.6 and added the hourly labor cost to arrive at the fully burdened rate. Refer to Worksheet 2A.

The Agency will use a contractor to perform the majority of the work associated with processing and analyzing the data and preparing the Report to Congress. Contractor burden estimates may be found in Worksheet 2B.

Total Agency cost may be found in Worksheet 2C.

6(d) Estimating the Respondent Universe and Total Burden and Costs

(I) Respondent Burden

Refer to Worksheet 1.

(ii) Agency Burden

Refer to Worksheets 2A, 2B, and 2C.

6(e) Bottom Line Burden Hours and Cost Tables

Please see Worksheets 1, 2A, 2B, and 2C.

Fifty-three states and territories will complete the Reporting form annually during the period covered by this ICR. No significant variation (more than 25 percent) in the annual reporting/recordkeeeping burden over the life of this ICR is expected for the agency or the respondents.

6(f) Reasons for Change in Burden

Respondent burden has been reduced by 50 percent due to the simplification and streamlining of the Reporting Form.

6(g) Burden Statement

Public reporting burden for this collection is estimated to average four hours plus 36 hours of recordkeeping per state responder. This includes the time for reviewing instructions, gathering information, searching data sources, completing and reviewing the collection of information, transmitting the information, and maintaining the information.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjusting the existing ways to comply with any previous applicable instructions and requirements; train personnel to be able to respond to a collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of Automated Collection techniques, to Director, OEI, Collection Strategies Division, U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Avenue, NW, Washington, DC 20460-0001; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Include the EPA ICR number (1748.03) and OMB control number (2060-0337) in any correspondence.